

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION**

Anascape, Ltd.,

Plaintiff,

v.

Microsoft Corp., and
Nintendo of America, Inc.,

Defendants.

Civil Action No. 9:06-cv-158-RC

JURY TRIAL REQUESTED

**JOINT MOTION FOR EXTENSION OF TIME TO FILE
CLAIM CONSTRUCTION BRIEFS AND TECHNOLOGY TUTORIALS**

Plaintiff Anascape, Ltd. (“Anascape”) and Defendants Microsoft Corp. (“Microsoft”) and Nintendo of America, Inc. (“Nintendo”) jointly submit this joint motion for an extension of time to file their claim construction briefs and technology synopsis.

The Court’s December 20, 2006 Scheduling Order required Microsoft’s and Nintendo’s responsive claim construction briefs to be filed by May 18, 2007 and further required Anascape’s reply claim construction brief to be filed by May 25, 2007. The Court’s February 9, 2007 Amended Scheduling Order required the parties to submit their technology synopsis by May 25, 2007. The claim construction hearing is scheduled to take place on August 22, 2007.

Counsel for Anascape, Microsoft, and Nintendo have met and conferred concerning the due dates for the parties’ claim construction briefs and technology synopsis in light of counsels’ travel schedules, deposition schedules, and other commitments. The parties respectfully request that the following deadlines be extended as follows:

Responsive Claim Construction Briefs	May 21, 2007
Reply Claim Construction Briefs	June 1, 2007
Submit Technology Synopsis	June 1, 2007

No other deadlines will be affected by these changes. A proposed order is attached.

DATED: May 7, 2007.

Respectfully submitted,

McKOOL SMITH, P.C.

/s/ Sam Baxter

Sam Baxter
Lead Attorney
Texas State Bar No. 01938000
sbaxter@mckoolsmith.com
P.O. Box O
505 E. Travis, Suite 105
Marshall, Texas 75670
Telephone: (903) 927-2111
Facsimile: (903) 927-2622

Theodore Stevenson, III
Texas State Bar No. 19196650
tstevenson@mckoolsmith.com
Luke F. McLeroy
Texas State Bar No. 24041455
lmcleroy@mckoolsmith.com
McKool Smith, P.C.
300 Crescent Court, Suite 1500
Dallas, Texas 75201
Telephone: (214) 978-4000
Telecopier: (214) 978-4044

Robert M. Parker
Texas State Bar No. 15498000
rmparker@pbatyler.com
Robert Christopher Bunt
Texas State Bar No. 00787165
rcbunt@pbatyler.com
Charles Ainsworth
Texas State Bar No. 00783521
charley@pbatyler.com
Parker, Bunt & Ainsworth P.C.
100 E. Ferguson Street, Suite 1114
Tyler, Texas 75702
Telephone: (903) 531-3535
Telecopier: (903) 533-9687

**ATTORNEYS FOR PLAINTIFF
ANASCAPE, LTD.**

DATED: May 7, 2007.

Respectfully submitted,

/s/ Chris Carraway (with permission by Sam Baxter)

J. Christopher Carraway (admitted *pro hac vice*)

christopher.carraway@klarquist.com

Joseph T. Jakubek (admitted *pro hac vice*)

joseph.jakubek@klarquist.com

Stephen J. Joncus (admitted *pro hac vice*)

stephen.joncus@klarquist.com

Richard D. McLeod (Bar No. 24026836)

rick.mcleod@klarquist.com

Derrick W. Toddy (admitted *pro hac vice*)

derrick.toddy@klarquist.com

KLARQUIST SPARKMAN, LLP

121 S.W. Salmon Street, Suite 1600

Portland, Oregon 97204

Telephone: 503-595-5300

J. Thad Heartfield (Bar No. 09346800)

thad@jth-law.com

Law Offices of J. Thad Heartfield

2195 Dowlen Road

Beaumont, Texas 77706

Telephone: 409-866-3318

Facsimile: 409-866-5789

Clayton E Dark Jr. (Bar No. 05384500)

clay.dark@yahoo.com

Clayton E Dark Jr., Law Office

207 E Frank Ave # 100

Lufkin, TX 75901

Telephone: 936-637-1733

Stephen McGrath, Esq. (admitted *pro hac vice*)

MICROSOFT CORPORATION

One Microsoft Way, Building 8

Redmond, Washington 98052-6399

Telephone: 425-882-8080

Facsimile: 425-706-7329

**ATTORNEYS FOR DEFENDANT MICROSOFT
CORPORATION**

DATED: May 7, 2007

Respectfully submitted,

/s/ James S. Blank (with permission by Sam Baxter)

Robert J. Gunther, Jr.
(robert.gunther@wilmerhale.com)
Wilmer Cutler Pickering Hale and Dorr LLP
399 Park Avenue
New York, New York 10022
ph: +1 212 230 8800
fax: +1 212 230 8888

James S. Blank
(james.blank@lw.com)
LATHAM & WATKINS LLP
885 Third Avenue
New York, NY 10022
Tel.: (212) 906-1200
Fax: (212) 751-4864

Robert W. Faris
(rwf@nixonvan.com)
Joseph S. Presta
(jsp@nixonvan.com)
NIXON & VANDERHYE, P.C.
1100 North Glebe Road
8th Floor
Arlington, VA 22201
Tel.: (703) 816-4000
Fax: (703) 816-4100

Lawrence L. Germer
(llgermer@germer.com)
Texas Bar No. 07824000
GERMER GERTZ L.L.P.
550 Fannin, Suite 400
P.O. Box 4915
Beaumont, Texas 77704
Tel.: (409) 654-6700
Fax: (409) 835-2115

Attorneys for Defendant and Counterclaimant

Nintendo of America Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on counsel of record via ECF or U.S. Mail on this 7th day of May, 2007.

Luke McLeroy

Luke F. McLeroy